

**Remarks**

This paper is a response to a non-final Office action mailed October 20, 2006. Minor changes are made in two paragraphs of the specification, primarily to add reference numerals to fields in the drawings. No new matter is involved as the original specification described the elements identified by the edited reference numerals. It is proposed that the informal drawings originally submitted with the application be replaced by the formal drawings which accompany this response.

Claims 1 through 3 have been canceled to expedite the prosecution of this application. Claims 4 and 5 remain in the application. No changes have been made in these claims as they define patentably over the art of record as originally filed.

As noted in the subject specification, the existence of payment processing software to permit online shoppers to pay for purchases online is well known. As also noted in the specification, the software has heretofore been inflexible, requiring that online sellers adhere strictly to the dictates of the software.

The present invention extends known payment processing software to permit an online seller to conveniently modify existing payment processing software to define off-line payment protocols that may be unique to the seller. Seller-definable fields are added to a Payment Instruction data structure to enable the seller to define an off-line payment protocol suited to his or her particular requirements. Another seller-definable field is added to an Account data structure to provide an identification for the defined off-line payment protocol.

Claims 4 and 5 are rejected under 35 USC 102(e) as being anticipated by the teachings of US patent 6, 535, 726 - Johnson. This rejection is totally inappropriate. The Johnson patent discloses a system which allows a purchaser to use his or her cellular telephone to provide transaction information in support of a transaction being processed in an online system.

The Johnson patent focuses on the customer interface to the online system. Relatively little is said in the patent about the seller interface to the online system and there is no teaching at all as to how or why the seller would want to modify the online system, particularly to support off-line payments by customers. It is noted that in the Office action makes no effort to apply the teachings of the Johnson patent to the specific language of claims.

It is submitted that the Johnson patent has no relevance to claims 4 and 5 and that these claims are patentable, as written, over Johnson. It is submitted that the subject application otherwise complies with all statutory requirements and is in condition for allowance.

It is respectfully requested that the rejection of claims four and five be withdrawn and that the subject application be passed to issue.

Respectfully Submitted,

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